

07-17-06

IFIN

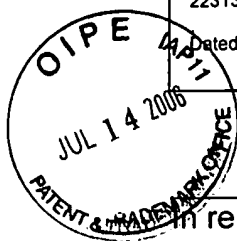
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as Express Mail No. EV853119397US addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

44 Dated: 07/14/06

Signature: 

(Melody Almberg)

Docket No.: 341148020US
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Wright et al.

Application No.: 10/750,164

Confirmation No.: 5009

Filed: December 31, 2003

Art Unit: 3737

For: **MARKER LOCALIZATION SENSING
SYSTEM SYNCHRONIZED WITH
RADIATION SOURCE**

Examiner: J. M. Kish

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

Applicant submits herewith copies of foreign patents in accordance with 37 CFR 1.98(a)(2).

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0665, under Order No. 341148020US.

Dated: _____

7/14/06

Respectfully submitted,

By _____

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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/750,164-Conf. #5009	
			Filing Date	December 31, 2003	
			First Named Inventor	J. Nelson Wright	
			Art Unit	3737	
			Examiner Name	J. M. Kish	
Sheet	1	of	2	Attorney Docket Number	341148020US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-09/877,498		Mate et al.	
		US-10/334,700		Herron et al.	
		US-10/382,123		Wright et al.	
		US-10/679,801		Wright et al.	
		US-10/749,478		Wright et al.	
		US-10/750,165		Wright et al.	
		US-10/750,456		Wright et al.	
		US-20020193685	12-19-2002	Mate et al.	
		US-20030041866	03-06-2003	Linberg et al.	
		US-20030066537	04-10-2003	Fabian et al.	
		US-20030105394	06-05-2003	Fabian et al.	
		US-20030122653	07-03-2003	Dimmer	
		US-20030149353	08-07-2003	Boos	
		US-3,577,160	05-04-1971	White	
		US-3,969,629	07-13-1976	McIntyre	
		US-4,642,786	02-10-1987	Hansen	
		US-5,019,713	05-28-1991	Schmidt et al.	
		US-5,057,095	10-15-1991	Fabian	
		US-5,189,690	02-23-1993	Samuel	
		US-5,233,990	08-10-1993	Barnea	
		US-5,285,772	02-15-1994	Rattner et al.	
		US-5,325,873	07-05-1994	Hirschi et al.	
		US-5,377,678	01-03-1995	Dumoulin et al.	
		US-5,386,191	01-31-1995	McCarten et al.	
		US-5,396,889	03-14-1995	Ueda et al.	
		US-5,396,905	03-14-1995	Newman et al.	
		US-5,400,787	03-28-1995	Marandos	
		US-5,559,435	09-24-1996	Harada et al.	
		US-5,621,779	04-15-1997	Hughes et al.	
		US-5,664,582	09-09-1997	Szymaitis	
		US-5,727,552	03-17-1998	Ryan	
		US-5,745,545	04-28-1998	Hughes	
		US-6,129,668	10-10-2000	Haynor et al.	
		US-6,165,135	12-26-2000	Neff	
		US-6,230,038	05-08-2001	von Gutfeld et al.	
		US-6,380,732-A1	04-30-2002	Gilboa et al.	
		US-6,385,482	05-07-2002	Boksberger et al.	
		US-6,405,072	06-11-2002	Cosman	
		US-6,474,341	11-05-2002	Hunter et al.	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				First Named Inventor	J. Nelson Wright
				Art Unit	3737
				Examiner Name	J. M. Kish
Sheet	2	of	2	Attorney Docket Number	341148020US

		US-6,534,982	03-18-2003	Peter Jakab	
		US-6,553,326	04-22-2003	Stefan Kirsch	
		US-6,564,807	05-20-2003	Schulman et al.	
		US-6,611,141	08-26-2003	Waldean Schulz	
		US-6,701,179	03-02-2004	Martinelli et al.	
		US-6,822,570-A1	11-23-2004	Dimmer et al.	
		US-6,838,990-A1	01-04-2005	Dimmer	
		US-6,905,245-A1	06-14-2005	Cresens et al.	
		US-6,977,504-A1	12-20-2005	Wright et al.	
		US-7,026,927-A1	04-11-2006	Wright et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO-02/100485 A1	12-19-2002	Calypso Medical Technologies, Inc.		
		WO-01/34049 A2	05-17-2001	Medtronic Surgical Navigation Technologies		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²

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Examiner Signature		Date Considered	
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